



# MEDIA RELEASE

STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

FOR IMMEDIATE RELEASE

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## REGULATORY BOARDS DISCIPLINARY ACTION REPORT MAY 2013

### **Board of Accountancy**

Respondent: Bhupinder S. Sood, Nashville, TN  
Violation: Conviction of federal felony offense of concealment of assets in his personal bankruptcy by use of an offshore account  
Action: Revocation of CPA license and firm permit; \$200 in costs;  
Respondent is not eligible to petition for reinstatement for two (2) years and is required to provide evidence that his term of federal supervised release has concluded, and that he has paid \$200 in costs

Respondent: Alecia W. Clark, Memphis, TN  
Violation: Failure to Respond to CPE Audit  
Action: \$500 Civil Penalty and \$550 in costs

### **Alarm Systems Contractors Board**

Respondent: SWS, LLC dba Secure Automation, C-1508, Knoxville, TN  
Violation: Failed to register alarm employees within thirty (30) days  
Action: \$4,500 Civil Penalty

Respondent: Travis A. Snider, QA-1665, Memphis, TN  
Violation: Failed to submit employee termination notices within thirty (30) days  
Action: \$150 Civil Penalty

### **Board of Architectural and Engineering Examiners**

Respondent: Linda K. McEntire, R.I.D. #607, Knoxville, TN  
Violation: Misconduct  
Action: \$500 Civil Penalty and take and pass the Board's Law and Rules Exam

## **Auctioneer Commission**

Respondent: Kenneth N. Roebuck and Asset Recovery Auctions & Appraisals, Memphis, TN

Violation: Making a substantial misrepresentation; pursuing a continued and flagrant course of misrepresentation or making false promises through agents or advertising or otherwise; failing to account for or remit, within a reasonable time, any money belonging to others that comes into the licensee's possession, commingling funds of others with the licensee's own, or failing to keep such funds of others in an escrow or trustee account; conduct which demonstrates improper, fraudulent, incompetent or dishonest dealings; and having a claim against the Auction Education and Recovery Fund paid for respondent's actions

Action: Revocation of the individual and firm licenses, \$10,000 Civil Penalty, \$1,626 in costs, \$2,940 to reimburse the Auctioneer Education and Recovery Fund, and respondent shall not re-apply for a new auctioneer license until he has paid all civil penalties, costs and reimbursements set forth in the order, as well as any fees, the terms of his plea agreement with Gibson County Criminal Court are completely met and he has made application for an apprentice auctioneer license and served the requisite apprenticeship set forth in T.C.A. §62-19-111(b)(2)

## **Board of Barber Examiners**

Respondent: Charlie Pitts Hairstyling, Murfreesboro, TN

Violation: Expired master barber license

Action: \$250 Civil Penalty

Respondent: International Barbers, Memphis, TN

Violation: Expired shop license

Action: \$750 Civil Penalty

## **Burial Services**

Respondent: Rick W. Greene, Sneedville, TN

Violation: Convicted of a felony or crime involving moral turpitude (criminal convictions of aggravated burglary and aggravated assault)

Action: Suspension of registration as a preneed sales agent for one year, registration to remain on a probationary period until such time as the Respondent's probation in the criminal cases terminates and \$200 in hearing costs

Respondent:	Higgins Funeral Home, Inc., Fayetteville, TN
Violation:	Sold preneed funeral contracts while preneed seller registration was expired, failed to refund excess funds to the purchaser, purchaser's estate or otherwise named beneficiary, preneed funeral contract failed to identify whether it was guaranteed or non-guaranteed, failed to maintain accurate accounts, books, and records of all preneed funeral contract and prearrangement insurance policy transactions, failed to file an annual report timely and annual report failed to reconcile with data from trustee
Action:	\$750 Civil Penalty
Respondent:	Jones & Son Funeral Home, Oneida, TN
Violation:	An agent of the establishment sold preneed funeral contracts without first registering as a preneed sales agent and failed to file annual reports timely
Action:	\$250 Civil Penalty
Respondent:	Martin Oak Ridge Funeral Home, Oak Ridge, TN
Violation:	Sold preneed funeral contracts while preneed seller registration was expired, failed to submit enrollment forms or applications to the insurance company within 15 calendar days of receipt, failed to file an annual report and failed to submit the correct amount for consumer protection fees
Action:	\$750 Civil Penalty

### **Board For Licensing Contractors**

Respondent:	Atlantic Scaffolding Company, Houston, TX
Violation:	Failure to apply for change in mode operation within 90 days
Action:	Voluntary Surrender of License
Respondent:	Emmitt Blankenship DBA Blankenship Heating & Air Conditioning Lexington, TN
Violation:	Unlicensed Activity
Action:	\$2,500 Civil Penalty
Respondent:	Terry Cowley Construction LLC, Fayetteville, TN
Violation:	Failure to disclose felony conviction
Action:	Voluntary Surrender of License
Respondent:	Dykes Restaurant Supply, Huntsville, AL
Violation:	Unlicensed Activity
Action:	\$1,000 Civil Penalty
Respondent:	Scott Johnstone, Dyer, TN
Violation:	Unlicensed Activity
Action:	\$1,000 Civil Penalty

Respondent: Lakeshore Pools Inc., Blaine, TN  
 Violation: Unlicensed Activity  
 Action: \$1,000 Civil Penalty

Respondent: Gene Rogers Builders LLC, Dalton, GA  
 Violation: Failure to disclose judgment(s)  
 Action: \$500 Civil Penalty

Respondent: Deborah Short, Cookeville, TN  
 Violation: Unlicensed Activity  
 Action: \$3,000 Civil Penalty

### **Board of Cosmetology**

Respondent: Angel's Nails, Memphis, TN  
 Violation: Shop providing services not authorized by shop license; dirty tools which were improperly stored  
 Action: \$500 Civil Penalty

Respondent: Atena Nail, Memphis, TN  
 Violation: Unlicensed individual; Wax machine in a manicure shop; Not wearing identification name tags  
 Action: \$750 Civil Penalty

Respondent: Bombay Beauty Salon, Memphis, TN  
 Violation: Unlicensed individual; No shop manager present  
 Action: \$500 Civil Penalty

Respondent: Celina's Hairport, Centerville, TN  
 Violation: Expired shop license; Not wearing identification name tag  
 Action: \$500 Civil Penalty

Respondent: Classic Nail, Cordova, TN  
 Violation: Couch and hammock located in rear of shop; Non-service dog in shop.  
 Action: \$250 Civil Penalty

Respondent: Kelly's Nails, Memphis, TN  
 Violation: Wax machine in a manicure shop; Dirty work stations; Dirty tools  
 Action: \$500 Civil Penalty

Respondent: Mane Street Salon, Hermitage, TN  
 Violation: Expired cosmetologist license posted; Expired shop owner/manager's license  
 Action: \$500 Civil Penalty

Respondent: Regal Nails, Lebanon, TN  
 Violation: Failure to maintain trash cover; Dirty tools; Dirty work station; Failure to use EPA registered disinfectant on pedicure chairs  
 Action: \$250 Civil Penalty

Respondent: Star Nails, Knoxville, TN  
 Violation: Unlicensed individuals  
 Action: \$3,000 Civil Penalty

Respondent: The Edge of Brentwood, Brentwood, TN  
 Violation: Expired cosmetologist license; Not wearing identification name tags; Dirty tools and tools improperly stored  
 Action: \$750 Civil Penalty

Respondent: Top Nails & Spa, Chattanooga, TN  
 Violation: Prohibited substance of Methyl Methacrylate (MMA) in the shop  
 Action: \$250 Civil Penalty

### **Board of Funeral Directors and Embalmers**

Respondent: Cox & Son Funeral Home, Jellico, TN  
 Violation: Immoral or unprofessional conduct (embalmed a deceased human remains that was to be cremated without permission) and failed to comply with preventive requirements specified in the Funeral Rule  
 Action: \$500 Civil Penalty

Respondent: Cremation Society of Northeast Tennessee, Elizabethton, TN  
 Violation: Cremation authorization form not signed by a funeral director and a copy of the license and latest inspection report for the crematory that the establishment uses not available for inspection  
 Action: \$250 Civil Penalty

Respondent: Hibbett & Hailey Funeral Home, Nashville, TN  
 Violation: Copy of the license and latest inspection report for the crematory that the establishment uses not available for inspection, cremation authorization forms contained incorrect number of days regarding disposition of unclaimed cremated human remains, failed to make available the establishment license and licenses of funeral directors for inspection and failed to provide a description of merchandise selected on contracts  
 Action: \$500 Civil Penalty

Respondent: Calvin W. James, Jr., Johnson City, TN  
 Violation: Engaged in the practice of funeral directing and embalming while licenses were expired  
 Action: \$250 Civil Penalty

Respondent:	Marshall-Donnelly-Combs Funeral Home, Nashville, TN
Violation:	Failed to affix a permanent identification device containing all required data to the deceased human remains and failed to provide a description of merchandise selected on contracts
Action:	\$250 Civil Penalty
Respondent:	Morris-Baker Funeral Home and Cremation Services, Johnson City, TN
Violation:	An employee practiced funeral directing and embalming while licenses were expired and a copy of the license and latest inspection report for the crematory that the establishment uses not available for inspection
Action:	\$250 Civil Penalty
Respondent:	Mynatt Funeral Home, Inc., Knoxville, TN
Violation:	Multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action:	\$250 Civil Penalty
Respondent:	Mynatt Funeral Home, Inc., Halls Chapel, Knoxville, TN
Violation:	Multiple aspects of the establishment's price lists did not comply with the Funeral Rule
Action:	\$250 Civil Penalty
Respondent:	Partlow Funeral Chapel, Inc., Lebanon, TN
Violation:	Multiple aspects of the establishment's contract and price lists did not comply with the Funeral Rule
Action:	\$500 Civil Penalty
Respondent:	Polk Memorial Crematory, Columbia, TN
Violation:	Failed to place a permanent identification device in urns prior to placing the cremated human remains in the urns and failed to keep a separate record of the cremated human remains containing the required data
Action:	\$500 Civil Penalty
Respondent:	Speck Funeral Home, Inc., Livingston, TN
Violation:	Conducted funeral services while establishment license was expired and failed to include required language on a price list
Action:	\$500 Civil Penalty

### **Home Inspector Licensing Program**

Respondent:	Robert Chad West, Seymour, TN
Violation:	In a home inspection report the Respondent failed to adequately report the method used to inspect the crawlspace
Action:	\$250 Civil Penalty and seven (7) hours of report writing courses

## **Motor Vehicle Commission**

Respondent: Estill Auto Sales & Rental, LLC, Estill Springs, TN  
Violation: Failure to Post Business Licenses  
Action: \$500 Civil Penalty

Respondent: Carl Gregory Chrysler Jeep Dodge, Johnson City, TN  
Violation: Misrepresentation of Vehicle  
Action: \$600 Civil Penalty

Respondent: Franklin Chrysler Dodge Jeep Ram, Franklin, TN  
Violation: Temporary Tag Violation and Failure to Respond  
Action: \$1,250 Civil Penalty

Respondent: E & S Auto Sales & Repair, Inc., Nashville, TN  
Violation: Temporary Tag Violation  
Action: \$500 Civil Penalty

Respondent: It's All Good Auto Sales, Inc., Memphis, TN  
Violation: Temporary Tag Log Violation  
Action: \$500 Civil Penalty

Respondent: Daniel Cantrell, Gallatin, TN  
Violation: Non-Payment of Student Loans  
Action: Suspension of License

Respondent: Tamara James, Nashville, TN  
Violation: Non-Payment of Student Loans  
Action: Suspension of License

Respondent: Heather Collins, Franklin, TN  
Violation: Non-Payment of Student Loans  
Action: Suspension of License

Respondent: Rance Johnson, Memphis, TN  
Violation: Non-Payment of Student Loans  
Action: Suspension of License

Respondent: Kelly Roberson, Tunnel, GA  
Violation: Non-Payment of Student Loans  
Action: Suspension of License

## **Private Protective Services**

Respondent: Pacer L. Mayhorn, AG-605441, Memphis, TN  
Violation: Unprofessional conduct  
Action: \$100 Civil Penalty

Respondent: Winston L. Hale, AG-617799, West Paducah, KY  
Violation: Conviction  
Action: Revocation

### **Real Estate Appraisers**

Respondent: Donald R. Joynes, Hermitage, TN  
Violation: In an appraisal report, the Respondent did not correctly report the legal description, failed to summarize the neighborhood differences of the subject and comparable properties, failed to provide an accurate description of the subject improvements, failed to summarize analysis in the sales comparison approach, failed to summarize support for the opinion of site value, failed to summarize the reason for exclusion of the income approach and the reconciliation of the value opinions.  
Action: \$500 Civil Penalty and a fifteen (15) hour Advanced Residential Applications and Case Studies Course

Respondent: Valuation Link, LLC, Ann Arbor, MI  
Violation: The Respondent failed to maintain a valid surety bond for the duration of its registration as an Appraisal Management Company  
Action: \$500 Civil Penalty

### **Tennessee Real Estate Commission:**

Respondent: Adrian A. Bond, Memphis, TN  
Violation: Substantial and willful misrepresentation; Conduct that constitutes improper, fraudulent or dishonest dealing; Failure to timely respond to complaint  
Action: \$2,500 Civil Penalty and \$1,840 in costs

Respondent: Tristin Chiafullo, Chattanooga, TN  
Violation: Unlicensed activity  
Action: \$1,000 Civil Penalty and ordered to cease and desist all unlicensed activity

Respondent: Joey L. Conner, Brownsville, TN  
Violation: Failure to exercise reasonable skill and care  
Action: Attend one regularly scheduled two-day commission meeting; Complete four (4) hours of continuing education in ethics and sixteen (16) hours of continuing education in contract writing

Respondent: Catherine C. Dickerson, LaVergne, TN  
Violation: Failure to maintain E&O insurance  
Action: \$1,000 Civil Penalty and \$200 in costs



Respondent:	Faye C. Ellis, Nashville, TN
Violation:	Escrow account violation
Action:	\$250 Civil Penalty
Respondent:	Jeffrey "Jeff" Alan Hale, Soddy Daisy, TN
Violation:	Failure to timely complete administrative measures
Action:	\$500 Civil Penalty, \$395 in costs and attend one regularly scheduled two-day commission meeting
Respondent:	Nancy B. Hardaway, Nashville, TN
Violation:	Failure to timely notify commission of firm address change
Action:	\$750 Civil Penalty
Respondent:	Robert "Chris" Helson, Gallatin, TN
Violation:	Escrow account violation
Action:	\$250 Civil Penalty
Respondent:	Nina F. Thompson-Irvin, Southaven, MS
Violation:	Failure to timely complete required education
Action:	\$250 Civil Penalty
Respondent:	Travis Alan Lefevers, Tazewell, TN
Violation:	Failure to timely complete required education
Action:	\$50 Civil Penalty
Respondent:	Ira E. Lipsey, Memphis, TN
Violation:	Failure to timely complete required education
Action:	\$550 Civil Penalty
Respondent:	Larry D. Mayall, Memphis, TN
Violation:	Failure to exercise adequate supervision of affiliates; Failure to timely respond to complaint
Action:	\$1,000 Civil Penalty, complete four (4) hours of continuing education in ethics, and attend one regularly scheduled two-day commission meeting
Respondent:	Brett Arthur Sheriff, Nashville, TN
Violation:	Failure to exercise reasonable skill and care; Failure to provide services to each party to the transaction with honesty and good faith
Action:	\$500 Civil Penalty and attend one regularly scheduled two-day commission meeting

## Scrap Metal Dealer Program

Respondent: D & E Junk, Pall Mall, TN  
Violation: Unlicensed Activity  
Action: \$500 Civil Penalty

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